

Form revised: June 18, 2014

### **FISCAL NOTE FOR NON-CAPITAL PROJECTS**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
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**Legislation Title:** AN ORDINANCE relating to enforcement and timely payment of parking infractions; providing authority to provide notice through use of a vehicle notification sticker that a vehicle may be immobilized; correcting a conflicting provision with regard to the time to request administrative review; providing that any person who unlawfully removes an immobilization device and is immobilized a second time is not eligible for a payment plan; and amending Seattle Municipal Code Sections 11.35.010 and 11.35.020.

**Summary of the Legislation:**

This legislation amends Seattle Municipal Code (SMC) 11.35.010, as it pertains to Scofflaw violators and the boot program to enable on-vehicle notification as formal notice of boot eligibility. This notice method will capture currently exempt vehicles due to the lack of a mailing address or out-of-state plate, limiting the use of first class mail to inform violators that they are on the scofflaw list. The legislation also reduces the current administrative review window from 30 days to 10 days to be consistent with Revised Code of Washington 46.55.120(2)(b) and SMC 11.35.030. In addition, it adds language to exclude individuals who illegally remove the initial boot from their vehicles and are subsequently booted a second time for the same violations from participating in court offered payment programs.

**Background:**

The Scofflaw ordinance (11.35.010) states that the *Seattle Municipal Court shall place the vehicle on a list of scofflaws, and shall mail, by first class mail, a notice to the last known registered owner of the vehicle, as disclosed by the vehicle license number as provided by the Washington State Department of Licensing or equivalent vehicle licensing agency of the state in which the vehicle is registered.* The Court is not able to reliably obtain registered owner information for vehicles registered in other states, and has identified some Washington vehicles that have no registered owner information available through DOL. These motorists cannot be held accountable using the existing scofflaw ordinance. This results in unequal treatment of similarly ticketed vehicles by parking enforcement. The Scofflaw ordinance needs to be amended to reflect the multiple methods of notifying owners of their Scofflaw status.

The OVN revision to the Scofflaw ordinance will allow parking enforcement officers to place on-vehicle notices informing a motorist that they are in scofflaw status and have 30 days to address outstanding tickets. This notice will serve as a formal notice for motorists that do not have addresses available for first class mail notices. To reduce disparate impacts

of this change, outreach efforts to persons living in their vehicles will occur prior to program implementation.

Seattle Municipal Court will be the lead agency for maintaining and updating the list of vehicles eligible for on-vehicle notices. Seattle Police Department will identify non-addressed or out-of-state plate vehicles eligible for scofflaw using existing license plate reader technology currently used for Scofflaw enforcement. Once the notice has been placed on the vehicle, the vehicle owner would be given 30 days to address outstanding tickets before becoming eligible to be booted. The City's contracted collection agency and Seattle Municipal Court will be the lead agencies in working with vehicle owners/drivers who received on-vehicle notices to resolve outstanding tickets.

The legislation also makes changes to be consistent with the Revised Code of Washington 46.55.120(2)(b) and SMC 11.35.030 with regard to administrative hearings and prevent individuals who unlawfully remove a scofflaw boot and are subsequently booted again for the same initial boot violations from participating in court payment programs.

**This legislation does not have any financial implications.**

**X   This legislation has financial implications.**

Appropriations Notes:

At this time, SPD and Seattle Municipal Court do not expect there to be additional costs associated with this project. On-vehicle Notices are provided at no cost by a contractor of the City.

**Anticipated Revenue/Reimbursement Resulting from this Legislation:**

<b>Fund Name and Number</b>	<b>Department</b>	<b>Revenue Source</b>	<b>2014 Revenue</b>	<b>2015 Revenue</b>
General Fund - 00100	Seattle Municipal Court	Fines and Fees	TBD	TBD
<b>TOTAL</b>			<b>TBD</b>	<b>TBD</b>

Revenue/Reimbursement Notes:

The 2014 Adopted Budget included some assumptions about revenue from this program. CBO is currently evaluating whether this revenue will be feasible given the timing of this legislation. Revenue assumptions for 2015 and beyond will be evaluated during the 2015-16 Biennial Budget Process.

**Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact:** None.

**Spending/Cash Flow:** None.

**Other Implications:**

- a) **Does the legislation have indirect financial implications, or long-term implications?**  
On-Vehicle Noticing is expected to bring in increased revenue after full implementation.
- b) **What is the financial cost of not implementing the legislation?**  
Some vehicles who are Scofflaw eligible will not be booted which results in reduced fine revenue for the City than is currently due.
- c) **Does this legislation affect any departments besides the originating department?**  
Seattle Municipal Court.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**  
None.
- e) **Is a public hearing required for this legislation?**  
No.
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**  
No.
- g) **Does this legislation affect a piece of property?**  
No.
- h) **Other Issues:** N/A.

**List attachments to the fiscal note below:** None.